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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Motoji Ohmori

2006-0035A

6227

52349

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12/09/2009

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EXAMINER

EPSTEIN, BRIAN M

ART UNIT

PAPER NUMBER

3628

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/565,724	<b>Applicant(s)</b> OHMORI ET AL.	
	<b>Examiner</b> BRIAN EPSTEIN	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20090827.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 7-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20060124 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>20060124</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Group I, claims 1-6 in the reply filed on October 27, 2009 is acknowledged.
2. Claims 7-24 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on October 27, 2009.
3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

### ***Priority***

4. Applicant's claim for the benefit of a prior-filed application is acknowledged.

### ***Specification***

5. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okayama et al. (US 6,249,767) in view of Seligmann (US 2004/0088107).

9. As per **claim 1**, Okayama teaches a reservation changing system for changing a reservation for purchasing a ticket for transport that provides a transportation service, the reservation changing system comprising:

a. a mobile terminal apparatus, the mobile terminal apparatus includes a secure unit (Column 11, lines 10-25; Column 8, lines 7-13; Abstract), stores in the secure unit, first reservation information indicating the reservation and including a boarding location where the transport is to be boarded and a departure time of the transport (Abstract; Column 10, lines 10-45), obtains a present location of the mobile

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terminal (Column 6, lines 26-35), extracts the boarding location from the first reservation information (Column 8, lines 20-44; Column 15, lines 40-53; Column 16, lines 44-52), and; when a time margin between a expected arrival time and a departure time included in the first reservation information is insufficient (Column 16, lines 43-52; Column 8, lines 54-64), transmits to a reservation server apparatus, second reservation information indicating a reservation for a ticket for a transport that departs later than the departure time (Column 8, lines 54-64; Column 9, lines 35-45), and stores the second reservation information in place of the first reservation information (Column 16, lines 23-28; Abstract), and;

b. a reservation server apparatus, the reservation server apparatus receives the second reservation information, and stores the received second reservation information in place of the first reservation information (Column 9, lines 36-57).

Okayama does not explicitly teach, the mobile terminal apparatus transmits the obtained present location and the extracted boarding location to a information provision server apparatus; an information provision server apparatus, the information apparatus receives the present location and the boarding location, obtains, with use of the received present location and boarding location, an expected arrival time of a user at the boarding location or an approximate time for the user to arrive at the boarding location, and transmits the obtained expected arrival time or approximate time to the mobile terminal apparatus, and; the mobile terminal apparatus, in the secure unit, receives the expected arrival time, or receives the approximate time and calculates an expected arrival time.

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Okayama does teach the mobile terminal apparatus itself, using the present location and boarding location, estimating arrival time (see, for example, Column 15, lines 1-52; Column 16, lines 33-51; Column 19, line 34 through Column 20, lines 32).

However Seligmann teaches a similar system and the system of Seligman indeed includes, the mobile terminal apparatus transmits the obtained present location and the extracted boarding location to a information provision server apparatus (Paragraphs 0020-0021; Paragraphs 0013-0014); an information provision server apparatus, the information apparatus receives the present location and the boarding location, obtains, with use of the received present location and boarding location, an expected arrival time of a user at the boarding location or an approximate time for the user to arrive at the boarding location (Paragraphs 0020-0021; Paragraphs 0027-0028), and transmits the obtained expected arrival time or approximate time to the mobile terminal apparatus (Paragraph 0028), and; the mobile terminal apparatus, in the secure unit, receives the expected arrival time, or receives the approximate time and calculates an expected arrival time (Paragraph 0028; Paragraph 0013).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the mobile terminal apparatus transmits the obtained present location and the extracted boarding location to a information provision server apparatus; an information provision server apparatus, the information apparatus receives the present location and the boarding location, obtains, with use of the received present location and boarding location, an expected arrival time of a user at the boarding location or an approximate time for the user to arrive at the boarding location, and

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transmits the obtained expected arrival time or approximate time to the mobile terminal apparatus, and; the mobile terminal apparatus, in the secure unit, receives the expected arrival time, or receives the approximate time and calculates an expected arrival time as taught by Seligmann in the system of Okayama, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable in order to reduce quantity of on board storage necessity of the users device of Okayama.

10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okayama et al. (US 6,249,767) in view of Seligmann (US 2004/0088107) as applied to claim 1 above, and further in view of Galperin et al. (US 7,085,726).

11. As per **claim 2**, Okayama in view of Seligmann does not explicitly teach, the mobile terminal apparatus determines that the time margin is insufficient when a margin added expected arrival time is later than the departure time, the margin added expected arrival time having been obtained by adding a margin value to the expected arrival time.

Okayama does teach the mobile terminal apparatus determines that the time margin is insufficient when the estimated arrival time is later than the departure time (see, for example, Paragraph 16, lines 45-52).

However, Galperin teaches a similar system and the system of Galperin indeed includes, the mobile terminal apparatus determines that the time margin is insufficient when a margin added expected arrival time is later than the departure time, the margin added expected arrival time having been obtained by adding a margin value to the

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expected arrival time (Column 2, lines 37-52) (Galperin teaches time margin insufficient if time to get through flight processing upon arrival at arrival gate to the departure gate is not sufficient, margin is, for example, 30 minutes.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include, the mobile terminal apparatus determines that the time margin is insufficient when a margin added expected arrival time is later than the departure time, the margin added expected arrival time having been obtained by adding a margin value to the expected arrival time as taught by Galperin in the system of Okayama in view of Seligmann, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable in order to account for processing time at an airport.

12. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okayama et al. (US 6,249,767) in view of Seligmann (US 2004/0088107) and further in view of Galperin et al. (US 7,085,726) as applied to claim 2 above, and further in view of Kyojima et al. (US 6,950,808).

13. As per **claim 3**, Okayama in view of Seligmann and further in view of Galperin does not explicitly teach, the secure unit of the mobile communication terminal is a portable IC card.



However, Kyojima teaches a similar system and the system of Kyojima indeed includes, the secure unit of the mobile communication terminal is a portable IC card (Column 8, lines 6-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the secure unit of the mobile communication terminal is a portable IC card as taught by Kyojima in the system of Okayama in view of Seligmann and further in view of Galperin, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

14. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okayama et al. (US 6,249,767) in view of Seligmann (US 2004/0088107) and further in view of Galperin et al. (US 7,085,726) as applied to claim 2 above, and further in view of Izumoto (US 2002/0004762).

15. As per **claim 4**, Okayama further teaches wherein the secure unit of the mobile terminal apparatus performs communication with the information provision server apparatus and with the reservation server apparatus via a first communication interface (Column 6, lines 26-45 of Okayama) (Okayama teaches the mobile terminal apparatus communicates with Okayama's reservation server apparatus via cellular type communication interfaces). Seligmann teaches wherein the secure unit of the mobile terminal apparatus performs communication with the information provision server apparatus via cellular type communication interfaces (Paragraph 0013 of Seligmann).

Okayama in view of Seligmann and further in view of Galperin does not explicitly teach, wherein the secure unit of the mobile terminal apparatus further performs, with an external apparatus via a second communication interface, a procedure for boarding transport, with use of the stored second reservation information.

However, Izumoto teaches a similar system and the system of Izumoto indeed includes, wherein the secure unit of the mobile terminal apparatus further performs, with an external apparatus via a second communication interface, a procedure for boarding transport, with use of the stored second reservation information (Paragraph 0016; Paragraph 0022; Paragraph 0027; Paragraph 0029).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include wherein the secure unit of the mobile terminal apparatus further performs, with an external apparatus via a second communication interface, a procedure for boarding transport, with use of the stored second reservation information as taught by Izumoto in the system of Okayama in view of Seligmann and further in view of Galperin, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable in order to quickly present the reservation number of Okayama (see, Column 10, lines 23-26, Okayama).

16. As per **claim 6**, Okayama in view of Seligmann and further in view of Galperin does not explicitly teach, wherein the external apparatus is a ticket inspection apparatus that inspects tickets at an entry point for boarding transport; the secure area of the

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mobile terminal apparatus outputs the stored second reservation information to the ticket inspection apparatus, and; the ticket inspection apparatus receives the second reservation information, inspects content of the received second reservation information, and controls opening and closing of a gate of the ticket inspection apparatus according to a result of the inspection.

However, Izumoto teaches a similar system and the system of Izumoto indeed includes, wherein the external apparatus is a ticket inspection apparatus that inspects tickets at an entry point for boarding transport (Paragraph 0016; Paragraph 0022; Paragraph 0032; Abstract); the secure area of the mobile terminal apparatus outputs the stored second reservation information to the ticket inspection apparatus (Paragraph 0022; Paragraph 0016; Paragraph 0032), and; the ticket inspection apparatus receives the second reservation information, inspects content of the received second reservation information, and controls opening and closing of a gate of the ticket inspection apparatus according to a result of the inspection (Paragraphs 0032-0035).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include wherein the external apparatus is a ticket inspection apparatus that inspects tickets at an entry point for boarding transport; the secure area of the mobile terminal apparatus outputs the stored second reservation information to the ticket inspection apparatus, and; the ticket inspection apparatus receives the second reservation information, inspects content of the received second reservation information, and controls opening and closing of a gate of the ticket inspection apparatus according to a result of the inspection as taught by Izumoto in the system of

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Okayama in view of Seligmann and further in view of Galperin, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

17. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okayama et al. (US 6,249,767) in view of Seligmann (US 2004/0088107) and further in view of Galperin et al. (US 7,085,726) and further in view of Izumoto (US 2002/0004762) as applied to claim 4 above, and further in view of Kyojima et al. (US 6,950,808).

18. As per **claim 5**, Okayama in view of Seligmann and further in view of Galperin and further in view of Izumoto does not explicitly teach, wherein the external apparatus is a ticket issuing apparatus that issues tickets for transport; the secure unit of the mobile terminal apparatus outputs the stored second reservation information to the ticket issuing apparatus, and; the ticket issuing apparatus receives the second reservation information, and issues a ticket for the transport for which the reservation has been made according to the received second reservation information.

However, Kyojima teaches a similar system and the system of Kyojima indeed includes, wherein the external apparatus is a ticket issuing apparatus that issues tickets for transport (Column 10, lines 6-24); the secure unit of the mobile terminal apparatus outputs the stored second reservation information to the ticket issuing apparatus (Column 9, lines 65 continuing to Column 10, lines 1-5), and; the ticket issuing

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apparatus receives the second reservation information, and issues a ticket for the transport for which the reservation has been made according to the received second reservation information (Column 10, lines 6-24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include wherein the external apparatus is a ticket issuing apparatus that issues tickets for transport; the secure unit of the mobile terminal apparatus outputs the stored second reservation information to the ticket issuing apparatus, and; the ticket issuing apparatus receives the second reservation information, and issues a ticket for the transport for which the reservation has been made according to the received second reservation information as taught by Kyojima in the system of Okayama in view of Seligmann and further in view of Galperin and further in view of Izumoto, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable in order to provide tangible tickets.

### ***Conclusion***

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN EPSTEIN whose telephone number is (571)270-5389. The examiner can normally be reached on Monday-Thursday 7:30am-6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. E./  
Examiner, Art Unit 3628  
December 4, 2009

/JOHN W HAYES/  
Supervisory Patent Examiner, Art Unit 3628

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